

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ROBERTO S. GUZMAN,**

**Petitioner,**

**v.**

**CASE NO. 2:04-cv-194**

**JUDGE MARBLEY**

**MARC HOUK,**

**MAGISTRATE JUDGE ABEL**

**Respondent.**

**OPINION AND ORDER**

On March 24, 2006, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Petitioner has objected to the Magistrate Judge's *Report and Recommendation*. Petitioner objects to all of the Magistrate Judge's conclusions and recommendations. Petitioner again raises all of the same arguments that were previously presented.

Pursuant to 28 U.S.C. 636(b)(1), this Court has conducted a *de novo* review of those portions of the *Report and Recommendation* objected to by petitioner. For the reasons discussed at length in the Magistrate Judge's *Report and Recommendation*, the Court overrules petitioner's objections.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**.

Petitioner's request for oral argument is **DENIED**.

**IT IS SO ORDERED.**

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**s/Algenon L. Marbley**

**ALGENON L. MARBLEY**  
United States District Judge